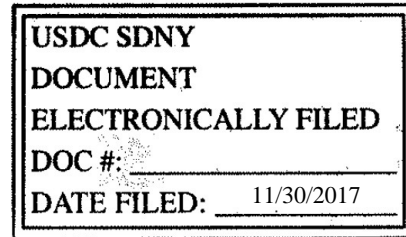


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
:
UNITED STATES OF AMERICA, :
:
-v- :
:
DEAN JONES, :
a/k/a "Korrupt," :
a/k/a "Blacko," :
a/k/a "Christopher C. Walker," :
:
Defendant. :
-----X

S4 15-CR-153 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

Defendant Dean Jones has moved to exclude any evidence at trial produced by the Forensic Statistical Tool ("FST") and requested a hearing under *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), and its progeny. (Doc. 15.) I granted the request for a *Daubert* hearing, (*see* Doc. 22), and held the hearing on November 6, 8, 14–16, and 21, 2017 (the "Hearing").

I have reviewed the record in this matter, including, among other things, (1) Defendant's Motion to Exclude Evidence Produced by FST and Request for a *Daubert* Hearing (the "Motion"), (Doc. 15), accompanying memorandum of law, (Doc. 16), and exhibits; (2) the Government's Opposition to Defendant's Motion, (Doc 19), and exhibits; and (3) Defendant's Reply Memorandum in Support of his Motion, (Doc. 21). I also reviewed the testimony of Dr. Craig O'Connor, Dr. Adele Mitchell, Dr. Eli Shapiro, and Nathaniel Adams at the Hearing; the prior testimony of Dr. Ranajit Chakraborty in *People v. Collins*, 15 N.Y.S.3d 564 (N.Y. Sup. Ct. 2015), which was submitted by the parties at the Hearing in lieu of live testimony; the exhibits


introduced into the record at the Hearing; and the various letters and exhibits the parties have filed with the Court to date.

Upon considering this extensive record, I find that the methods of FST testing utilized by the New York City Office of the Chief Medical Examiner in this matter are sufficiently reliable to satisfy the *Daubert* standard. Accordingly, Defendant's motion to exclude evidence at trial produced by FST is DENIED. The record in this matter is now closed, and a Memorandum & Opinion setting forth the Court's findings and reasoning will follow at a later date.

The Clerk of Court is directed to terminate Defendant's motion in this matter. (Doc. 15.)

SO ORDERED.

Dated: November 30, 2017
New York, New York


Vernon S. Broderick
United States District Judge